

REMARKS / ARGUMENTS

In response to the Office action dated August 5, 2004, Applicants respectfully request the Office to enter the amendments above and consider the following remarks. Claims 151 and 191 have been amended by this response; no claims have been added. Claims 151-155 and 186-195 are now pending in this application. Authorization is hereby given to charge any fees (e.g., extension fees) associated with this response to Deposit Account No. 06-0916.

In the Office action, the Examiner: (i) rejected claims 151-155 and 186-194 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite; and (ii) provided a statement of reasons for allowable subject matter with respect to claims 151-155 and 186-195.

35 U.S.C. § 112 Rejections

Claims 151-155 and 186-194 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Specifically, the Office has asserted that claim 151 fails to provide antecedent basis for the phrase "the specification." (Office action, ¶ 2). Similarly, the Office has also asserted that claim 191 fails to provide antecedent basis for the phrases "the specification" and "the secure container contents." (Office action, ¶ 2). Appropriate

correction has been made, and Applicants respectfully submit that the instant rejections under 35 U.S.C. § 112 have thereby been overcome.

Comments on Reasons for Allowance

The Examiner's statement of reasons for allowable subject matter with respect to claim 191 recites:

As per Claim 191.

The prior art of record, specifically Ginter et al (WO 96/27155) does not disclose or fairly teach:

assigning a potential user or recipient to a class, the assignment being based at least in part on information regarding the potential user or recipient's previous use of content; and

associating a first rule with the secure container, the first rule at least in part governing use of at least some of the secure container contents, the first rule at least in part specifying potential users or recipients of the secure container contents, the specification being based at least in part on the a first class to which the potential users or recipients have been assigned as claimed.

(Office action, ¶ 4, corrections noted).

As Applicants have respectfully noted in the text above, the originally-articulated reasons slightly misquote the language of claim 191. Specifically, the underlined term "a first" should read "the." The difference appears unintentional, and Applicants respectfully request that the Office agree to the above, corrected statement of reasons for allowance. If such correction requires further discussion, or if the Examiner has any questions with respect to other aspects of the application, the undersigned can be contacted directly at (650) 849-6643.

Clarification

For purpose of clarification and grammatical correctness, Applicants wish to correct an inadvertent error that appears in Applicants' November 21, 2003 Response to the Office Action dated May 21, 2003. In particular, the paragraph beginning on line 3 of page 9 should be rephrased to read:

Nonetheless, Applicants respectfully traverse this rejection and submit that claims 151-155 and 186-195 are patentable over WO96/27155 because these claims teach aspects not taught by this reference. For example, WO 96/27155 does not teach the combination of "associating a first rule with the secure container, the first rule at least in part governing use of at least some of the secure container contents, the first rule at least in part specifying potential users or recipients of the secure container contents, the specification being based at least in part on a class to which the potential users or recipients have been assigned"; "receiving a request for a content object from a potential user or recipient, the request specifying a desired class of rights management information; determining that the first content object has rights management information associated with it that belongs to the desired class"; and "determining, based at least in part on the digital certificate, that the potential user or recipient has been assigned to the first class," as is recited by claim 151. For at least these reasons claim 151 is patentable over the cited reference, as are claims 152-155 and 186-190 which depend from claim 151.

The above statement is Applicants' intended basis for distinguishing over WO97/27155 and is also consistent with the Examiner's stated reasons for allowance. If such clarification requires further discussion, the undersigned can be contacted directly at (650) 849-6643.

CONCLUSION

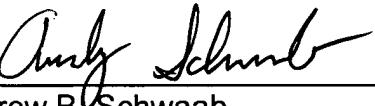
In view of the foregoing remarks, Applicants submit that all of the remaining claims of the instant application are in condition for allowance. Applicants therefore request the entry of this Amendment, reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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